United Nations CRC/C/OPAC/VAT/CO/1

Convention on the Rights of the Child

Distr.: General
25 February 2014

Original: English

Committee on the Rights of the Child

Concluding observations on the report submitted by the Holy See under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*

1. The Committee considered the initial report of the Holy See (CRC/C/OPAC/VAT/1) at its 1853rd meeting (see CRC/C/SR.1853), held on 16 January 2014, and adopted at its 1875th meeting, held on 31 January 2014, the following concluding observations.

I. Introduction

2. The Committee welcomes the submission of the initial report of the Holy See. The Committee also welcomes the constructive dialogue held with the multisectoral delegation of the Holy See.

3. The Committee reminds the Holy See that the present concluding observations should be read in conjunction with the concluding observations on the second periodic report submitted by the Holy See under the Convention on the Rights of the Child (CRC/C/VAT/CO/2) as well as those on its initial report under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/VAT/CO/1), both of which were also adopted on 31 January 2014.

II. General observations

Positive aspects

4. The Committee welcomes the ratification by the Holy See of the:

(a) Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III), on 22 July 1997;

(b) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, on 17 February 1998.

* Adopted by the Committee at its sixty-fifth session (13–31 January 2014).

GE.14-41207

1441207

Please recycle

5. The Committee notes that the Holy See does not have a "military body" or "armed forces". The Committee also notes that the minimum age for entering the Pontifical Swiss Guard is 19 years of age.

6. The Committee welcomes the involvement of Catholic schools around the world in education on peace and reconciliation between communities affected by armed conflicts.

III. General measures of implementation

Dissemination and training

7. The Committee regrets the lack of information on the activities undertaken by the Holy See, through individuals and institutions working under its authority, to disseminate the Optional Protocol, especially to those who work with child victims of recruitment and involvement in armed conflict.

8. **The Committee recommends that the Holy See strengthen its efforts to support awareness-raising and training activities on the provisions of the Optional Protocol.**

IV. Prevention

Measures adopted to prevent offences referred to in the Protocol

9. The Committee notes with appreciation the firm condemnation by the Roman Pontiff of the exploitation of children in all circumstances, including their use in armed conflict, and his promotion of prevention programmes worldwide to assist especially vulnerable children at risk of recruitment.

10. **The Committee recommends that the Holy See continue to use its authority to prevent the recruitment and use of children in armed conflict.**

V. Prohibition and related matters

Criminal legislation and regulations in force

11. The Committee welcomes the clear condemnation of the recruitment and use of children as soldiers in armed conflict, which is considered an intolerable crime in the Compendium of the Social Doctrine of the Church. The Committee also notes as positive the criminalization of the recruitment and use of children under 15 years as soldiers, and the definition of such recruitment and use of children as a war crime under Vatican City State Law No. VIII of 11 July 2013 containing Complementary Norms on Penal Matters, Title IV: War Crimes. The Committee is, however, concerned that the Holy See has not criminalized the recruitment and use of children under 18 years in armed conflict .

12. **The Committee urges the Holy See to ensure that the penal laws of Vatican City State are brought into line with articles 2 and 4 of the Optional Protocol and to criminalize the recruitment and use of children under 18 years in armed conflict.**

VI. Protection, recovery and reintegration

Measures adopted to protect the rights of child victims

13. The Committee welcomes the numerous appeals made by the Holy See to draw attention to the long-term consequences of involvement in armed conflict for children who

were recruited. The Committee is however concerned that insufficient information was provided on the concrete measures taken by the Holy See to support individuals and institutions under its authority in protecting the rights of such children.

14. **The Committee recommends that the Holy See provide assistance, including financial support, to individuals and institutions working under its authority for the protection of the rights of child victims.**

Assistance for physical and psychological recovery and social reintegration

15. The Committee welcomes the numerous initiatives developed by local Catholic schools and institutions for the physical and psychological recovery and social reintegration of children who were recruited and involved in armed conflict. The Committee notes as particularly positive, projects such as the one developed by the Catholic Education Department in Uganda for the rescue and social reintegration of child soldiers, as well as the establishment by the Jesuit Refugee Service of a transit and reception centre for child soldiers in South Kivu in the Democratic Republic of the Congo.

16. **The Committee recommends that the Holy See continue to support initiatives for the physical and psychological recovery and social reintegration of children who were recruited and involved in armed conflict.**

VII. International assistance and cooperation

International cooperation

17. **The Committee encourages the Holy See to continue to play a key role in international forums towards eliminating the recruitment and use of children in armed conflict.**

VIII. Follow-up and dissemination

18. **The Committee recommends that the Holy See take all appropriate measures to ensure the full implementation of the present recommendations by, inter alia, transmitting them to the Pope, the Curia, the Congregation for the Doctrine of the Faith, the Congregation for Catholic Education, Catholic health-care institutions, the Pontifical Council for the Family, episcopal conferences and individuals and institutions operating under the authority of the Holy See, for appropriate consideration and further action.**

19. **The Committee recommends that the initial report and written replies submitted by the Holy See, as well as the present concluding observations, be made widely available, including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and foster awareness of the Optional Protocol, and its implementation and monitoring.**

IX. Next report

20. **In accordance with article 8, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Committee requests the Holy See to include further information on the implementation of the Optional Protocol and the recommendations contained in the**

present concluding observations in its next periodic report under the Convention on the Rights of the Child, to be submitted in accordance with article 44 of the Convention.